

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DONALD FRANCIS MACKAY, JR.	:	CIVIL ACTION
	:	
v.	:	
	:	
ESTATE OF ELIZABETH MAYFIELD	:	NO. 11-5135
MACKAY, <u>et al.</u>	:	

O R D E R

AND NOW, this *14th* day of May, 2012, upon consideration of plaintiff's complaint and his motion to proceed in forma pauperis (Document No. 12) it is ORDERED that:

1. Plaintiff's motion to proceed in forma pauperis is GRANTED.
2. Plaintiff's complaint is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2) and Federal Rule of Civil Procedure 12(h)(3) for the reasons discussed in the Court's accompanying memorandum.
3. Plaintiff is given leave to file an amended complaint within thirty (30) days of the date of this Order with respect to his claim that the defendants failed to repair certain property that was part of plaintiff's mother's estate. Upon the filing of an amended complaint, the Clerk shall not make service until so ORDERED by the Court.
4. This case shall remain CLOSED for statistical purposes.

BY THE COURT:

  
MITCHELL S. GOLDBERG, J.